



July 16, 2004

To: Honorable members of the U.S. House of Representatives

Re: HR3313 "The Marriage Protection Act 2003" – Opposition

Parents, Families & Friends of Lesbians and Gays (PFLAG) represents approximately 250,000 members organized into over 500 chapters, which are located in every state of the nation and Puerto Rico. The voice of PFLAG is the voice of people who are concerned about the well-being and civil rights of their family members, friends, and loved ones who are lesbian, gay, bisexual or transgender (LGBT).

PFLAG is strongly opposed to the so-called Marriage Protection Act 2003.

Our system of government is based upon a system of checks and balances that guarantees the civil rights of all Americans. The so-called (and sadly miss-named) "Marriage Protection Act" tampers with those checks and balances, and in particular tampers with the legitimate role of the judiciary to rule on matters pertaining to rights protections for minorities who for whatever reason are disfavored. Such actions by courts are often met with outrage in their time, but in later years the wisdom of the courts, and our system of checks and balances, are vindicated.

Clearly, this effort at stripping our judiciary of its constitutionally proscribed role is an exceedingly alarming precedent to even consider. While the thrust of the present effort appears to be to seal the exclusion of a particular category of citizens from a particular civil, legal institution (that is, same-sex couples from access to marriage); any student of government will grasp the wider and ominous implications of disrupting our system of checks and balances by imposing this kind of restriction on our judiciary regarding a matter of basic civil rights. Our nation's history makes clear that it is the courts that are the last resort for a disfavored minority being protected from the tyranny and misguided popular will of the majority. This is just such a case.

As the Interim Executive Director of PFLAG, speaking with the voice of our 250,000 members, I urge you to ask your fellow members of the House Judiciary Committee to vote against the Marriage Protection Act 2003 (HR3313).

Sincerely,

Ron Schlittler
Interim Executive Director